

01
02
03
04
05
06
07 UNITED STATES DISTRICT COURT
08 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

09 UNITED STATES OF AMERICA,)

10 Plaintiff,)

11 v.)

Case No. CR07-48-JLR

12 THEUNE MEKAVONG,)

13 Defendant.)

DETENTION ORDER
Material Witness

14 _____)
In re Material Witness:)

15 LINDA HEU)

16 _____)
17 Offense charged: Material Witness

18 Date of Detention Hearing: May 15, 2012

19
20 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f) and
21 3144, and based upon the factual findings and statement of reasons hereafter set forth, finds
22 that detention is necessary to adequately secure the testimony of the material witness, and to
23 prevent a failure of justice.

24 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

25 (1) Ms. Heu was arrested on a material witness warrant in the matter of United
26 States of America v. Theune Mekavong, CR07-48-JLR, after she failed to appear after being

01 served with a subpoena. She made her initial appearance in this Court on May 15, 2012.

02 (2) The United States has moved to detain Ms. Heu pursuant to 18 U.S.C. § 3144
03 a reasonable period until her testimony can be taken pursuant to the Federal Rules of Criminal
04 Procedure.

05 (3) The Court finds that further detention is necessary to prevent a failure of
06 justice. The material witness will be detained until her testimony can adequately be secured.

07 It is therefore ORDERED:

08 (1) The material witness shall be detained pending the taking of her testimony and
09 committed to the custody of the Attorney General for confinement in a
10 correction facility separate, to the extent practicable, from persons awaiting or
11 serving sentences or being held in custody pending appeal;

12 (2) The material witness shall be afforded reasonable opportunity for private
13 consultation with counsel;

14 (3) On order of a court of the United States or on request of an attorney for the
15 Government, the person in charge of the corrections facility in which material
16 witness is confined shall deliver the material witness to a United States
17 Marshal for the purpose of an appearance in connection with a court
18 proceeding or for providing testimony in connection with a case pending in
19 this court; and

20 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
21 counsel for the material witness, to the United States Marshal, and to the
22 United States Pretrial Services Officer.

23 DATED this 15th day of May, 2012.

24 
25 _____
26 James P. Donohue
United States Magistrate Judge